



Agenda

SUMMARY COMMITTEE
Thursday, February 7, 2019 - 11:00am
City Council Chambers
City Hall 1st Floor – 200 Lincoln Avenue

- A. ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. APPROVAL OF MINUTES**

January 3, 2019

- D. OLD BUSINESS**
- E. NEW BUSINESS**

- 1. **Case #2018-109. 500 Camino Pinones Lot Split.** Morris Apodaca, of A-Z Surveying, Inc., Agent, representing M3 Co., LLC, Owner, requests approval of a lot split to divide approximately 2.99 acres to create two lots (+/-1.15 acres and +/-1.84 acres). The property is zoned R-1 (Residential – one dwelling unit per acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587).

- F. STAFF COMMUNICATIONS**
- G. MATTERS FROM THE COMMITTEE**
- H. ADJOURNMENT**

NOTES:

- 1) Procedures in front of the Summary Committee are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from postponement by a motion and vote of the Summary Committee.
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Summary Committee meeting. This agenda is subject to change at the discretion of the Summary Committee.
- 3) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting “quasi-judicial” hearings. In “quasi-judicial” hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk’s Office (955-6520) 5 days prior to the hearing date.**

RECEIVED AT THE CITY CLERK’S OFFICE

DATE: January 22, 2019

TIME: 1:19 PM

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CITY OF SANTA FE
SUMMARY COMMITTEE
February 7, 2019**

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B. APPROVAL OF AGENDA	Approved as presented	1
C. APPROVAL OF MINUTES - January 3, 2019	Approved as presented.	1
D. OLD BUSINESS	None	1
E. NEW BUSINESS		
1. Case #2018-109. 500 Camino Piñones Lot Split	Approved with conditions	2-5
F. STAFF COMMUNICATIONS	Comments	5
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**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
February 7, 2019**

A regular meeting of the City of Santa Fe Summary Committee was called to order by Commissioner Lee Garcia, Chair, on the above date at approximately 11:00 a.m. in the City Council Conference Room, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Lee Garcia, Chair
Janet Clow, Secretary
Brian Gutierrez

MEMBERS EXCUSED:

OTHERS PRESENT:

Noah Berke, Current Planning Division Supervisor and Staff Liaison
Nick Schiavo, City Engineer
Dan Esquibel, Planner Senior
Carl Boaz, Stenographer

There was a quorum of the membership in attendance for conducting official business.

B. APPROVAL OF AGENDA

MOTION: Commissioner Gutierrez moved, seconded by Commissioner Clow, to approve the Agenda, as presented. The motion was approved unanimously on a voice vote.

C. APPROVAL OF MINUTES - January 3, 2019

MOTION: Commissioner Gutierrez moved, seconded by Commissioner Garcia, to approve the minutes of the meeting of January 3, 2019, as presented. The motion was approved on a 2-0 voice vote. Commissioner Clow abstained from the vote because she was not present at the January 3, 2019 meeting.

D. OLD BUSINESS

There was no Old Business.

E. NEW BUSINESS

1. **Case #2018-109. 500 Camino Piñones Lot Split.** Morris Apodaca, of A-Z Surveying, Inc., Agent, representing M3 Co., LLC, Owner, requests approval of a lot split to divide approximately 2.99 acres to create two lots (± 1.15 acres and ± 1.84 acres). The property is zoned R-1 (Residential – one dwelling unit per acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587).

Chair Garcia disclosed that he knows Morris Apodaca, who is one of his customers, but has no conflict of interest.

Staff Report

Mr. Esquibel presented the staff report for this case. The only city utility available is water. There were conditions of approval only from the Fire Marshal. It also is subject to the technical corrections listed in Exhibit A. Terrain management does require a signature. One motion is all that is needed. The applicant has addressed all criteria in Chapter 14 for the subdivision.

Mr. Berke arrived and did not believe Commissioner Garcia had a conflict of interest.

Applicant's Presentation

Surveyor Apodaca chose not to make a presentation but was sworn later to answer questions.

Public Comment

Chair Garcia opened the public hearing.

Ms. Chris Glenn, 498 Camino Piñones was sworn and said she and her husband, Malcolm, live adjacent to lot 500 and had a number of concerns on the lot split.

She said, "My first concern was the setback line from the arroyo. She was not sure what the line was in reference to. It apparently establishes the building site. The building site has a gradual but steep slope going down some distance to the arroyo. We have lived here 13-14 years and seen, though those years, the appearance of lots of ancient garbage dumped down the slope. When Botanical Gardens were being developed up the arroyo, the slag and all those pieces were everywhere in the arroyo. It

made her wonder about the stability of the slope there. Also, it appears there is a lot of black draping that is used to stabilize a slope and appears in that area in abundance. So if this line goes through that unstable portion, it makes me question the size of the buildable lot.

Our second concern is placement of the septic tank. The septic tank and leach fields must meet the setback guidelines from the existing building and proposed building site. It is about 1.8 acres. This is a very small buildable lot. Our own lot runs down and through the arroyo and up the other side.

I'm also concern with leach field penetrating into the arroyo.

My greatest concerns are with 2009 IFC that New Mexico uses. One of our neighbors recently lost their home by a fast-moving fire. Winds are the same here. This front is a large dry field and if there was a fire, I question how the fire truck would go. The fire truck would have to go 222 feet down the current driveway to get to the building site. The fire truck is not allowed to back up more than 150 feet and that presents a problem. I understand the owner could get an exemption by installing a sprinkler system. But even with sprinkler would have to meet the other requirements. If the fire truck is not allowed to back up, it must have a hammer head for the fire truck to turn around but that also diminishes the lot and with septic tank and leach field, it gets even smaller. So as I understand, the hammerhead would have to be provided on this site.

I also believe if the site is approved, the driveway would have to be a designated fire lane and that would prohibit parking on it. The hydrant serving this property is in front of 511 and about 322 feet to the property line on the north side so it would have to go about 600 before hitting the building site. The firemen have to be able to go around the building and she didn't know how that is possible. The hydrant has to provide a certain flow and duration to meet the current fire standards. This is a very questionable lot split that we believe endangers the whole neighborhood. The leach field could also be a health hazard and I request these be met before the building permit is issued."

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Committee Discussion

Commissioner Clow asked Staff to address the issue on septic tank, setback and fire code.

Mr. Esquibel said the setback and septic tank layout would be processed at the time of building permit. With the fire turnaround, the Fire Marshal did provide comments and I spoke with him after speaking with Ms. Glenn and he had no other concerns.

Mr. Schiavo said he went out to the site and kept that in mind. There is sufficient

area for building and for septic and leach field. The drop off in back still allows sufficient room for the home and the driveway.

Commissioner Gutierrez said that answers most of the concerns, but about the driveway and keeping that clear. Is the property on the front lot already built out?

Mr. Berke agreed. He said the fire department access will be adequate. The grade of the road has to be less than 15% and it will be no more than 10%.

If there is hydrant within 600 feet, they can tie into it. Some engines have substantial tanks also. The Fire Marshal said they will have room for a turn around. The plat just demonstrates there is at least 2500 square feet for buildable area.

The FEMA map shows 35' from centerline and it would not be able to be closer to build. The driveway has enough width and will be graded down to 10% grade. If approved, it also has enough for visibility triangle lower than 30". Engineering will look at that before building permit.

Commissioner Gutierrez understood the driveway would have to be brought into compliance with fire code.

Mr. Berke agreed.

Commissioner Gutierrez explained that the big health issue with septic systems is when there is a well nearby. The hook up to city water takes that concern away.

Commissioner Gutierrez asked Mr. Apodaca is he was in agreement with the conditions recommended by Staff.

Mr. Apodaca said yes.

Committee Action

MOTION: Commissioner Gutierrez moved, seconded by Commissioner Clow, to approve Case 2018-109, 500 Camino Piñones Lot Split, subject to conditions of approval recommended by Staff and technical corrections in Exhibit A. The motion was approved on a unanimous voice vote with Commissioner Gutierrez, Commissioner Clow and Chair Garcia voting in the affirmative and none voting against.

Mr. Esquibel explained the appeal process for those who were present and stated the appeal window is 30 days from this moment and the appeal is made to City Council.

Mr. Berke added that there is an application for the appeal and has a \$100 fee. The appeal goes to the City Attorney's office for review first. He advised the appellant to become familiar with the criteria and determine if any subdivision actions were violated. That should be made clear. The application and the criteria can be found in the Land Use Department.

F. STAFF COMMUNICATIONS

Mr. Berke welcomed Mr. Schiavo as the new City Engineer. He also announced that one case will be on the March agenda and that the Planning Commission was not meeting this evening and that there would not be a second meeting in February.

Mr. Berke welcomed Commissioner Clow to the Summary Committee. For customer service and streamlining our process, the City is moving forward with a code amendment that would dissolve the Summary Committee and have lots splits or consolidations as an administrative procedure handled by Staff. Any appeal of a Staff decision would go to the full Planning Commission. It will be introduced when we finish, and it would go to the Planning Commission for recommendation to the Governing Body. He estimated it will probably be completed in three more months.

Commissioner Gutierrez commented that is not too bad.

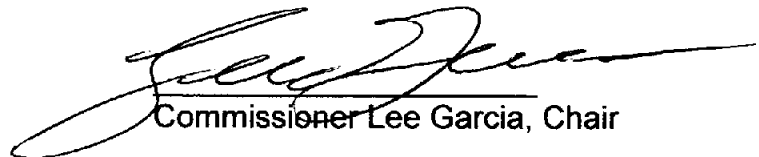
G. MATTERS FROM THE COMMITTEE

Commissioner Gutierrez thanked Mr. Schiavo for telling the Committee of his site visit. That is helpful for us.

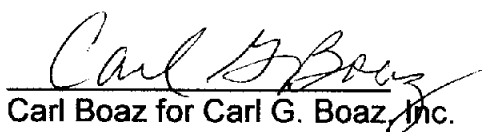
H. ADJOURNMENT

Having no further business to consider, the meeting was adjourned at 11:30 a.m.

Approved by:


Commissioner Lee Garcia, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.